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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/821,066      | 03/29/2001  | Keith Ky Trieu Ho    | AUS920010193UI      | 5343             |

7590 10/23/2003

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EXAMINER

GART, MATTHEW S

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

3625

DATE MAILED: 10/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/821,066

Applicant(s) *SW*

HO, KEITH KY TRIEU

Examiner

Matthew s Gart

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--- The MAILING DATE of this communication appears on the cover sheet with the correspondence address ---

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

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## **DETAILED ACTION**

### ***Drawings***

The drawings are objected to because of informal handwritten text on Figures 1 through 4. The text should be altered to ensure clarity when reproduced. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Specification***

Applicant is reminded of the proper content of an abstract of the disclosure. The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art, i.e. "This permits a user to quickly determine what parts are available in inventory for manufacturing tasks, and promotes more efficient utilization of inventoried parts."

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by**

**Scheer U.S. Patent Application Publication Number US 2002/0143669.**

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Referring to claim 1. Scheer discloses a method of grouping parts in inventory (abstract), comprising:

- Defining a database (Figure 8, "Record Parameters in the Product Master Data Base") for indicating functional relationships between a plurality of parts (paragraph 0147 and paragraph 0171); and
- Searching the database (Figure 8, "Record Parameters in the Product Master Data Base") to identify one or more groups of functionally interchangeable parts (paragraph 0147 and paragraph 0171).

Referring to claim 2. Scheer further discloses a method wherein the step of searching includes:

- Repeatedly searching the database to produce a list of parts that can be used interchangeably (paragraph 0126).

Referring to claim 3-4. Scheer discloses a method of generating a list of interchangeable parts, comprising:

- Defining a first table identifying a plurality of parts (Figure 7 and paragraph 0174);
- Defining a second table, associated with the first table, indicating functional relationships between the parts (Figure 7 and paragraph 0174);
- Recursively searching the first and second tables to generate the list of interchangeable parts (Figure 7 and paragraph 0174); and
- Receiving a part identifier (paragraph 0233).

Referring to claim 5. Scheer further discloses a method wherein the step of recursively searching includes:

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- Applying the part identifier to the first table to retrieve a functional relationship from the second table, the functional relationship specifying an additional part identifier (Figure 7 and paragraph 0174); and
- Applying the additional part identifier to the first table to retrieve an additional functional relationship from the second table (Figure 7 and paragraph 0174).

Referring to claims 6-9. Claims 6-9 are rejected under the same rationale as set forth above in claims 1-5.

Referring to claim 10. Scheer further discloses a parts inventory system comprising an input interface for receiving a part identifier (paragraph 0068).

Referring to claim 11. Scheer further discloses a parts inventory system comprising a network interface permitting remote users to generate a list of interchangeable parts (paragraph 0068).

Referring to claim 12. Scheer further discloses a parts inventory system comprising a remote workstation for communicating with the search engine over a communication network (paragraph 0068).

Referring to claims 13-14. Claims 13-14 are rejected under the same rationale as set forth above in claims 1-5.


### ***Conclusion***

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-

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746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



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October 16, 2003